

ACCOMMODATION ESTABLISHMENT, 2012

By-law No. 8, 2012

BY-LAW

To provide for the provision of an accommodation establishment in the //Khara Hais municipality; and for matters connected therewith.

BE IT ENACTED by the //Khara Hais municipality, as follows:-

1. **Definitions**

"accommodation establishment" means a place in which accommodation is provided for gain, with or without meals;

"person" means a natural and legal person, including but not limited to an association of persons, a partnership, and a company;

"potable water" means water that complies with SANS 241;

"premises" means any building, structure, or tent together with the land on which it is situated and the adjoining land used in connection with it and includes any land without any building, structure or tent and any vehicle, conveyance or ship;

"proprietor" means the person who owns or operates an accommodation establishment;

2. **Application of Chapter**

This Chapter applies to a person who owns or carries on the business of providing accommodation for gain in an accommodation establishment on premises within the municipal area.

3. **Requirements relating to buildings, water, sanitation and refuse removal**

3.1 No person shall use any building as an accommodation establishment unless—

- (a) it is in good structural condition outside and inside and in a proper state of repair;
- (b) not less than one bathroom is provided for the first eight lodgers, with one additional bathroom for every additional twelve lodgers or part thereof;
- (c) every bathroom—
 - (i) is provided with a hand wash-basin;
 - (ii) is provided with a bath or shower; and

- (iii) is provided with an adequate supply of cold and or hot running water.
- (d) sanitary conveniences are provided on the basis of one convenience for the first eight lodgers and thereafter one convenience for every additional twelve lodgers or part thereof: provided that a sanitary convenience shall not be installed in the same room as a bath or shower, en-suite bathrooms excluded.
- (e) the faecal matter arising in respect of the accommodation is properly stored and, except where pit latrines or a method for the adequate treatment of such matter by means of an enzymatic or chemical process is provided, is properly removed and disposed of;
- (f) a receptacle with a close-fitting lid is provided in a latrine.
- (g) the household refuse arising in respect of the accommodation is properly removed and disposed of at least once a week;
- (h) all water supply fittings and fittings that relate to sanitation and ablution are in a working order.

4. Preparation and serving of food

A proprietor who prepares or serves food on the premises for consumption by a guest, must comply with the Requirements for Food Premises and the Transport of Food, published under Government Notice No. R918 of 30 July 1999.

5. Premises

A proprietor must ensure that his premises has access to safe and adequate potable water, sanitation and refuse removal, and those household facilities, eating utensils, linen and bedding is kept in a clean and hygienic condition.

6. Penalty Clause

Any person who contravenes or fails to comply with any provision of this By-law shall be guilty of an offence and liable on conviction to a fine or, in default of payment, to imprisonment not exceeding 6 months, or to both a fine and such imprisonment.

7. Short title

This By-law shall be called the Accommodation Establishment By-law, 2012.